

AGENDA

TROY CITY COUNCIL

August 21, 2000- 7:30 P.M.
Council Chambers - City Hall
500 West Big Beaver

INVOCATION

ROLL CALL

	PAGE
A-1 Minutes - Regular Meeting - August 7, 2000 Study Session - August 16, 2000	1
2 Presentations and Introductions	2
1. Presentation - Athens High School Girls Soccer Team for Winning the Michigan Division 1 State Championship	
2. Haley Byrd, proposed student representative to the Parks and Recreation Board	
3. Presentation to the City of Troy and the Public Works Department from the Veterans of Korean War	

PUBLIC HEARINGS

C-1 Proposed Rezoning - North Side of Maple, Between Maplawn and Thorncroft, West of Crooks - Section 29 - R-C to M-1 - Somerset Troy LLC	2
2 Approval of Local Law Enforcement Block Grant Program	3

TABLED ITEM

D-1 Consideration of Industrial Development District and Industrial Facilities Exemption Certificate Policy for Public Act 198	4
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CONSENT AGENDA

The consent agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the consent agenda. Any Council Member may remove an item from the consent agenda and have it considered as a separate item. A member of the audience who wishes to speak in opposition to the recommended action for any given consent agenda item may do so with the approval of a majority vote of City Council. Any

item so removed from the consent calendar shall be considered after other items on the consent business portion of the agenda have been heard. (*Rules of Procedure for the City Council*, Article 10, as amended April 12, 1999.)

E-1	Approval of Consent Agenda	7
2	Resolution Approving Municipal Credit and Community Credit Contracts for FY 2001 - SMART Dial-A-Ride	8
3	Approval of Contract for Installation of Municipal Improvements (Private Agreements) - South Boulevard Sanitary Sewer Extension; Section 1, Project No. 00.404.3	8
4	Approval of Troy Community Coalition Service Agreement	9
5	Request for Approval to Pay Residential Relocation Claim, Anthony P. Aguinaga and Nancy L. Aguinaga , Civic Center Improvement Project - Project No. 97.110.0 Parcel 4 - Sidwell #88-20-21-476-008	9
6	Approval of Consent Judgment - Troy v Vel Corporation	10
7	Approval of Consent Judgment - Troy v Torpey Meat Market	10
8	Option to Renew - Pump Maintenance and Repair Contract	11
9	Closed Session	12
10	Request for Temporary Trailer - Beaumont Hospital Computer Information Center - 1350 Stephenson Highway	12
11	Approval of Bid - Pond Dredging	13
12	Option to Renew - Printing of 2001 City Calendar	14
13	Upgrade of Telephone Equipment	15

REGULAR BUSINESS

Persons interested in addressing City Council on items, which appear on the printed Agenda, may do so at the time the item is discussed. For those addressing City Council, time may be limited to not more than twice nor longer than five (5) minutes on any question, unless so permitted by the Chair, in accordance with the *Rules of Procedure of the City Council*, Article 12, as amended April 12, 1999.

Persons interested in addressing City Council on items which are not on the printed Agenda may do so under the last item of the Regular Business (F) Section.

F-1	Nominations/Appointments to Boards and Committees: (a) CATV Advisory Committee; (b) Charter Revision Committee; (c) Board of Review; (d) Parks and Recreation Board; (e) Municipal Building Authority	16
2	Liquor Committee Recommendations - Meeting of August 14, 2000: (a) Rite Aid of Michigan, Inc. request to transfer ownership of 1999 Specially Designated Distributor License with Sunday Sales Only, Presently in Escrow, From Perry Drug Stores, Inc. and Transfer Location From 850 E. Big Beaver, Troy, Michigan to 1981 W. South Blvd., Troy, Michigan, to be Held in Conjunction with Proposed New Specially Designated Merchant License with Drive-Up Window [MLCC Ref # 56488]; (b) Palm Troy Company, L.L.C. request for a New Resort Class C License Issued Under MCL 436.1531(4) in Conjunction with Specially Designated Merchant License with New Sunday Sales Permit and Official Permit (Food) to be Located at Crooks & Long Lake, Troy, Michigan [MLCC Ref #84924]	19
3	Approval of Changeable Message Sign at the Civic Center	20
4	Bid Waiver - Purchase of Fire Apparatus at Previous Bid Price	21
5	Direction on Civic Center Site Plan Development	22

COUNCIL COMMENTS

COUNCIL REFERRALS

VISITORS

Any person not a member of the Council may address the Council with the permission of the Mayor, after clearly stating the nature of his/her inquiry. Any such matter may be deferred to another time or referred for study and recommendation upon the request of any one Council Member except that by a majority vote of the Council Members elect, said matter may be acted upon immediately. The Mayor may require that such inquiries or comments be heard at such time as the related subject may appear on the prepared Agenda. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members elect. (*Rules of Procedure for the City Council*, Article 12, as amended April 12, 1999.)

REPORTS AND COMMUNICATIONS

G-1	Council Referrals	26
2	Minutes - Boards and Committees	26
3	Department Reports:	26
4	Announcements of Public Hearings:	26

5	Proposed Proclamations	26
6	Communication from the Southeast Michigan Buick Club of America Commending the Police Officers Nicolette Kaptur, Lynn Fair and Andy Breidenich and the Police and Fire Explorer Post	26
7	Letter of Commendation from Deputy Prosecuting Attorney James Halushka Regarding Officer David Isham	26
8	Memo from the Information Service Director Regarding the Employee Purchase Plan	27
9	Memo Regarding the Use of Storage Buildings at the Public Works Facility on Rochester Road	27
10	Memo Regarding Flooding in the Stonecrest Subdivision	27
11	Report Regarding Traffic Signals	27
12	Communications Commending Aquatic Center Staff Regarding an Emergency on August 7, 2000	27
13	Consideration of the Plant Rehabilitation Portion of Public Act 198 of 1974	27

Call to Order:

Invocation and Pledge of Allegiance:

Roll Call:

Mayor Jeanne M. Stine
Henry W. Allemon
Martin F. Howrylak
Thomas S. Kaszubski
Anthony N. Pallotta
Louise E. Schilling
John R. Stevens

Minutes: Regular Meeting – August 7, 2000

A-1Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That those portions of the minutes of the Regular Meeting of July 17, 2000 be approved, as corrected, the Regular Meeting of August 7, 2000, and the Study Session of August 16, 2000, be approved.

Yes:

No:

Presentations and Introductions

A-2

1. Presentation to the Athens High School Girls Soccer Team for winning the Michigan Division 1 State Championship.
2. Introduction of Haley Byrd, proposed student representative to the Parks and Recreation Board.
3. Presentation to the City of Troy and the Public Works Department from the Veterans of Korean War

PUBLIC HEARINGS**Proposed Rezoning - North Side of Maple, Between Maplelawn and Thorncroft, West of Crooks - Section 29 - R-C to M-1 - Somerset Troy LLC**

C-1

City Management requests a 5 minute presentation regarding this item.

Suggested Resolution

Resolution #2000-

Moved by

Seconded by

BE IT RESOLVED, that the request for the rezoning of a 1.81 acre parcel being part of Lots 13 and 14 of Maplelawn Industrial Park No. 2, R-C (Research Center) to M-1 (Light Industrial) be approved, as recommended by the Planning Commission.

Approval of Local Law Enforcement Block Grant Program**C-2**

City Management requests a 5 minute presentation regarding this item.

Suggested Resolution

Resolution #2000-

Moved by

Seconded by

WHEREAS, on August 21, 2000, a Public Hearing was held before the City Council of the City of Troy, at which Public Hearing persons were given an opportunity to provide written and oral views to the Troy City Council, the authority responsible for enacting the budget, and to ask questions about the entire budget and the relationship of the Local Law Enforcement Block Grant Award payment to the entire budget; and

WHEREAS, the City Council of the City of Troy, after conclusion of the Public Hearing on this date, has determined that Local Law Enforcement Block Grant funds in the amount of \$46,082 with a City match of \$5,120, should be used for the support of the mountain bike patrol unit;

NOW, THEREFORE, BE IT RESOLVED, that the request by the Police Department that the \$46,082 from the Law Enforcement Block Grant with a \$5,120 match from the City, be used for the support of the mountain bike patrol unit, is hereby approved.

Yes:

No:

TABLED ITEM

Consideration of Industrial Development District and Industrial Facilities Exemption Certificate Policy for Public Act 198, Plant Rehabilitation and Industrial Facilities Tax Abatement

D-1**Consideration of Tabled Resolution #2000-281**

Rescind and Revoke Policy Resolutions

#79-128, #83-555, #84-840, #2000-26, and #2000-50

(This proposed resolution would eliminate all future tax abatements, and would also revoke Delphi's Industrial Development District, and their Industrial Facilities Exemption Certificate, effectively rescinding their current tax abatement)

WHEREAS, the economic growth and health of the City of Troy is of utmost importance to the City Council, and

WHEREAS, the City of Troy has the second highest property value of all cities in the State of Michigan, and

WHEREAS, the City of Troy is well known for providing high quality goods and services to its residential and commercial property owners, and

WHEREAS, the City of Troy has one of the lowest property tax rates in Oakland, and

WHEREAS, allowances for tax abatements provided by Act 198 of Public Acts of 1974 are designed for economical distressed communities,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Troy, that the City Council will not review, nor will it grant tax abatements on real or personal property,

BE IT FURTHER AMENDED THAT, City Council Resolutions #79-128, #2000-26, #83-555, #84-840, and #2000-50 are hereby rescinded.

Yes:

No:

ALTERNATE RESOLUTIONS:

- (a) **Rescind and Revoke Policy Resolutions #79-128, #83-555, #84-840, and to Rescind and Revoke Amendments to Said Resolutions Adopted By Resolutions #2000-26 And #2000-50**

(This proposed resolution eliminates all future tax abatements, while existing abatements run to their expiration date)

WHEREAS, the City Council of the City of Troy formerly considered the eligibility of property for tax abatement under Public Act 198 of 1974, The Plant Rehabilitation and Industrial Development Districts Act, restricted by Policy Resolutions #79-128, #83-555, #84-840, #2000-26, and #2000-50; and

WHEREAS, the City Council of the City of Troy will no longer consider tax abatements for property under Public Act 198 of 1974, The Plant Rehabilitation and Industrial Development Districts Act;

THEREFORE, BE IT RESOLVED, that Policy Resolutions #79-128, #83-555, and #84-840 are hereby rescinded and revoked; and

BE IT FURTHER RESOLVED that the amendments to Policy Resolutions #79-128, #83-555 and #84-840, adopted by Resolutions #2000-26, and #2000-50 are hereby rescinded and revoked.

**(b) Rescind and Revoke Amendments to Policy Resolutions
#79-128, #83-555, #84-840, Adopted By Resolutions #2000-26
and #2000-50**

(This proposed resolution would eliminate tax abatements on Real Property, and common office type Personal Property, with minimum capital investments of \$40,000,000, at least 500 new jobs, and MEGA incentive eligibility. It leaves in place abatements for high technology Personal Property abatements)

WHEREAS, The City Council of the City of Troy formerly considered the eligibility of property for tax abatement under Public Act 198 of 1974, The Plant Rehabilitation and Industrial Development Districts Act, restricted by Policy Resolutions #79-128, #83-555, #84-840, #2000-26, and #2000-50; and

WHEREAS, The City Council of the City of Troy will no longer consider tax abatements for property under Public Act 198 of 1974, The Plant Rehabilitation and Industrial Development Districts Act, eligible under Policy Resolutions amended by Resolutions #2000-26, and #2000-50;

THEREFORE, BE IT RESOLVED, that amendments to Policy Resolutions #79-128, #83-555, and #84-840 adopted by Resolutions #2000-26, and #2000-50, are hereby rescinded and revoked.

CONSENT AGENDA

The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may remove an item from the Consent Agenda and have it considered as a separate item. A member of the audience who wishes to speak in opposition to the recommended action for any given Consent Agenda item may do so with the approval of a majority vote of City Council. Any item so removed from the Consent Agenda shall be considered after other items on the consent portion of the agenda have been heard. (Rules of Procedure for the City Council, Article 10, as amended April 12, 1999.)

Approval of Consent Agenda

E-1

Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That all items as presented on the Consent Agenda are hereby approved as presented with the exception of Item(s) _____, which shall be considered after Consent Agenda (E) items, as printed.

Yes:

No:

Resolution Approving Municipal Credit and Community Credit Contracts for FY 2001 - SMART Dial-A-Ride **E-2**

Suggested Resolution
Resolution #2000-

RESOLVED, That the Municipal Credit Contract between the City of Troy and SMART Dial-A-Ride in the amount of \$70,785.00, and the Community Credit Contract in the amount of \$55,833.00, for FY-2001 is hereby approved, and the Mayor and City Clerk are authorized to execute the documents, copies of which shall be attached to the original minutes of this meeting.

Approval of Contract for Installation of Municipal Improvements (Private Agreements): South Boulevard Sanitary Sewer Extension; Section 1, Project No. 00.404.3 **E-3**

South Boulevard Sanitary Sewer Extension; Section 1, Project No. 00.404.3Suggested Resolution
Resolution #2000-

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Anna Grassi is hereby approved for the installation of sanitary sewer on South Boulevard in Section 1, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original minutes of this meeting.

Approval of Troy Community Coalition Service Agreement **E-4**

Suggested Resolution
Resolution #2000-

RESOLVED, That the Agreement between the Troy Community Coalition and the City of Troy to provide community services to prevent drug and alcohol abuse, is hereby approved, the funding to the Troy Community Coalition budgeted in the 2000-2001 fiscal year in the amount of \$50,000 is hereby authorized, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original minutes of this meeting.

Request for Approval to Pay Residential Relocation Claim, Anthony P. Aguinaga and Nancy L. Aguinaga , Civic Center Improvement Project - Project No. 97.110.0 Parcel 4 - Sidwell #88-20-21-476-008 **E-5**

Suggested Resolution
Resolution #2000-

RESOLVED, That, as required by Michigan Laws and Federal Guidelines, the City Council of the City of Troy hereby authorizes payment for relocation benefits in the amount of \$19,865.50, to Anthony P. Aguinaga and Nancy L. Aguinaga, the former

owners displaced from property at 3329 Livernois.

Approval of Consent Judgment - Troy v Vel Corporation

E-6

Suggested Resolution
Resolution #2000-

RESOLVED, That the Consent Judgment between the City of Troy and Vel Corporation is hereby approved, and a copy shall be attached to and made a part of the original minutes of this meeting.

Approval of Consent Judgment - Troy v Torpey Meat Market

E-7

Suggested Resolution
Resolution #2000-

RESOLVED, That the Consent Judgment between the City of Troy and Torpey Meat Market is hereby approved, and a copy shall be attached to and made a part of the original minutes of this meeting.

Option to Renew - Pump Maintenance and Repair Contract

E-8

Suggested Resolution

Resolution #2000-

WHEREAS, On February 15, 1999 a contract was awarded to the sole bidder, Kennedy Industries, Inc. for Aquatic Center Pump Maintenance/ Repair (Resolution #99-59-E-2c); and

WHEREAS, Kennedy Industries, Inc. agreed to exercise the first of two - one year options to renew the contract and the Troy City Council approved the renewal (Resolution 99-448-E-16); and

WHEREAS, Kennedy Industries, Inc. has again agreed to exercise the second and final option to renew this contract for Pump Maintenance/ Repair Services under the same pricing structure, terms and conditions; and

WHEREAS, It is the determination of the City Manager and City Council of the City of Troy that no benefit would result for the City to solicit additional sealed bids;

NOW, THEREFORE, BE IT RESOLVED, That bidding procedures are hereby waived and the contract with Kennedy Industries, Inc. to provide Pump Maintenance/ Repair Services is hereby extended through September 30, 2001.

Closed Session

E-9Suggested Resolution

Resolution #2000-

RESOLVED, That the City Council of the City of Troy shall meet in Closed Session as permitted by State Statute MCLA 15.268, Sections 8 (d) and (e), (Bacon v Troy), after adjournment of this meeting.

**Request for Temporary Trailer - Beaumont Hospital Computer
Information Center- 1350 Stephenson Highway**

E-10Suggested Resolution

Resolution #2000-

RESOLVED, That the request from William Beaumont Hospital to place and occupy a temporary trailer, to be used for office space during renovations on their existing computer information center, for a period not to exceed 12 months, is hereby approved at 1350 Stephenson Highway, in accordance with Chapter 47, House Trailers and Trailer Courts, Section 6.41(2), of the Code of the City of Troy.

Approval of Bids - Pond Dredging

E-11Suggested Resolution

Resolution #2000-

RESOLVED, That a contract to provide pond dredging at the Lloyd A. Stage Nature Center is hereby awarded to the low bidder, Michigan Aquatic Control, Inc., at an estimated cost of \$35,100 contingent upon contractor submission of properly executed bid and contract documents, including bonds, insurance certificates and all other specified requirements; and

BE IT FURTHER RESOLVED, That if additional work is required that could not be foreseen, such additional work is authorized in an amount not to exceed 10% of the total project cost in accordance with the unit prices designated on Schedule of Values dated August 4, 2000 a copy of which shall be attached to the original minutes of this meeting.

Option to Renew – Printing of 2001 City Calendar

E-12Suggested Resolution

Resolution #2000-

WHEREAS, On October 4, 1999 a contract for the printing of the 2000 City of Troy Calendar was awarded to the highest scoring vendor, University Lithoprinters, as the result of a Request for Proposal process (Resolution #99-448-E-19); and

WHEREAS, The proposal contained an option to renew the contract for the printing of

the 2001 calendar; and

WHEREAS, University Lithoprinters has agreed to exercise the option to renew this contract for printing the 2001 City of Troy Calendar under the same pricing structure, terms and conditions, with the exception of an increase in paper prices (as stated in the contract "pricing may only be adjusted due to fluctuations in paper costs); and

WHEREAS, It is the determination of the City Manager and City Council of the City of Troy that no benefit would result for the City to solicit additional sealed bids;

NOW, THEREFORE, BE IT RESOLVED, That formal bidding procedures are hereby waived and the contract renewed with University Lithoprinters to provide printing of the 2001 City of Troy Calendar, at an estimated total cost of \$35,880 with additional costs for quantities over 39,000 calendars at \$600 per thousand and each additional scan at \$35 per scan, is hereby approved which shall expire upon completion of the calendar in accordance with specifications.

Upgrade of Telephone Equipment

E-13

Suggested Resolution Resolution #2000-

WHEREAS, In 1996, City Council awarded a contract for telephone equipment and service to Lucent Technologies as a result of an Request for Proposal process, in the amount of \$7,469.11 per month (Resolution 96-691); and

WHEREAS, Additional equipment and services have been added during the term of the lease increasing that monthly cost to \$8,824.12; and

WHEREAS, Upgrading the current system to incorporate new technology currently available, combining phone lines, and recasting the existing lease will result in more efficient service at a reduced cost;

NOW, THEREFORE, BE IT RESOLVED, That the recasting of the telephone lease with Lucent Technologies is hereby approved resulting in improvements to the current system as outlined in a memorandum from the City Clerk dated August 15, 2000, in an estimated amount of \$8,036.52 per month.

REGULAR BUSINESS

**Nominations/Appointments to Boards and Committees: (a) CATV
Advisory Committee; (b) Charter Revision Committee; (c) Board of
Review; (d) Parks and Recreation Board; (e) Municipal Building Authority**

F-1

(a) CATV Advisory Committee

One vacancy exists on this Committee with a term to expire February 28, 2002.

Suggested Resolution

Resolution #2000-
Moved by
Seconded by

The following persons are hereby nominated by members of the City Council, as indicated to serve on this committee:

<u>Nominee</u>	<u>Nominated By</u>
_____	_____
_____	_____

Yes:
No:

(b) Charter Revision Committee

One vacancy exists due to the resignation of Donald Ruff.

Suggested Resolution
Resolution #2000-
Moved by
Seconded by

The following persons are hereby nominated by members of the City Council, as indicated to serve on this committee:

<u>Nominee</u>	<u>Nominated By</u>
_____	_____
_____	_____

Yes:
No:

(c) Board of Review

One vacancy exists due to the resignation of Donald Ruff.

Suggested Resolution
Resolution #2000-
Moved by
Seconded by

The following persons are hereby nominated by members of the City Council, as indicated to serve on this committee:

<u>Nominee</u>	<u>Nominated By</u>
_____	_____
_____	_____

Yes:

No:

(d) Parks and Recreation Board

One vacancy exists for a citizen representative.

Suggested Resolution

Resolution #2000-

Moved by

Seconded by

The following persons are hereby nominated by members of the City Council, as indicated to serve on this committee:

Nominee

Orestes Kaltsounis

Jack Nixon

Jeff Stewart

Nominated By

Councilman Allemon

Councilman Howrylak

Mayor Stine

Yes:

No:

(e) Municipal Building Authority

One vacancy exists due to the resignation of William Brown.

Suggested Resolution

Resolution #2000-

Moved by

Seconded by

The following persons are hereby nominated by members of the City Council, as indicated to serve on this committee:

Nominee

Nominated By

Yes:

No:

**Liquor Committee Recommendations - Meeting of August 14, 2000: (a)
Rite Aid of Michigan, Inc. request to transfer ownership of 1999**

F-2

Specially Designated Distributor License with Sunday Sales Only, Presently in Escrow, From Perry Drug Stores, Inc. and Transfer Location From 850 E. Big Beaver, Troy, Michigan to 1981 W. South Blvd., Troy, Michigan, to be Held in Conjunction with Proposed New Specially Designated Merchant License with Drive-Up Window [MLCC Ref # 56488]; (b) Palm Troy Company, L.L.C. request for a New Resort Class C License Issued Under MCL 436.1531(4) in Conjunction with Specially Designated Merchant License with New Sunday Sales Permit and Official Permit (Food) to be Located at Crooks & Long Lake, Troy, Michigan [MLCC Ref #84924]

(a) Rite Aid of Michigan, Inc.

Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That the request from Rite Aid of Michigan, Inc. to transfer ownership of 1999 Specially Designated Distributor license with Sunday sales only, presently in escrow, from Perry Drug Stores, Inc. and transfer location from 850 E. Big Beaver, Troy, Michigan, 48083, Oakland County, to 1981 W. South Blvd., Troy, Michigan, 48098, Oakland County, to be held in conjunction with proposed new Specially Designated Merchant license with drive-up window, [MLCC Ref # 56488], be considered for approval;

It is the consensus of this legislative body that the application be recommended for issuance.

Yes:

No:

(b) Palm Troy Company, L.L.C.

Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That the request from Palm Troy Company, L.L.C., for a new Resort Class C license issued under MCL 436.1531(4) in conjunction with Specially Designated Merchant license with new Sunday sales permit and Official Permit (Food) to be located at Crooks & Long Lake, Troy, Michigan, 48098, Oakland County, [MLCC Ref #84924], be considered for approval;

It is the consensus of this legislative body that the application be recommended for issuance.

Yes:

No:

Approval of Changeable Message Sign at the Civic Center

F-3

Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That the City Manager is directed to prepare and solicit bids for a new 100 square foot changeable message sign for the Troy Civic Center which shall include approximately 40 square feet of electronic changeable text in two rows of 12" text with the sign shall be centered in the front yard of the Civic Center and located at the minimum setback line.

Yes:

No:

Bid Waiver - Purchase of Fire Apparatus at Previous Bid Price

F-4

Suggested Resolution

Resolution #2000-

Moved by

Seconded by

WHEREAS, One pumper was awarded to the low bidder, Central States Fire Apparatus, not to exceed \$298,851.84 on May 3, 1999 (Resolution 99-231-E-8c); and

WHEREAS, The Troy Fire Department has budgeted funds in the 2000-01 fiscal year for two additional units; and

WHEREAS, Central States Fire Apparatus has agreed to extend the pricing for two additional pumpers even though they have experienced an 8% increase since the time of the original award; and

WHEREAS, It is the determination of the City Manager and the Troy City Council that no benefit would result for the City to solicit additional sealed bids;

NOW THEREFORE, BE IT RESOLVED, That formal bidding procedures are hereby waived and a contract to provide two pumpers is hereby awarded to Central States Fire Apparatus in an amount estimated at \$297,837 each but not to exceed \$298,851.84 each for a total estimated cost of \$597,703.68.

Yes:

No:

Direction on Civic Center Site Plan Development

F-5

Suggested Resolution

Resolution #2000-

Moved by

Seconded by

WHEREAS, City Council has taken a leadership role in developing the Civic Center site plan; and

WHEREAS, Direction is required on specific site plan elements so as to enable the City Manager to continue development of a proposed site plan; and

WHEREAS, Once specific site plan components are determined, a public hearing will be held on the merit and functionality of the site plan;

NOW, THEREFORE BE IT RESOLVED, That:

- a) The City Manager is authorized to work with the Detroit-area Chamber of Commerce to develop a feasibility study relative to the need of a conference/convention center on the Civic Center site, such study to not only examine needs, but also alternative funding sources will which will not include the City of Troy or the Downtown Development Authority; and
- b) The City Manager is authorized to work in conjunction with the City Attorney to negotiate a ground lease with Millennium Leisure (IMAX) under the terms and conditions outlined in the agreement dated July 25, 2000, a copy of which shall be attached to the original minutes of this meeting;
- c) The City Manager is authorized to work in conjunction with the City Attorney to negotiate a ground lease with the Michigan Youth Museum under the terms and conditions outlined in the agreement dated August 7, 2000, a copy of which shall be attached to the original minutes of this meeting.

Yes:

No:

COUNCIL COMMENTS

COUNCIL REFERRALS

VISITORS

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Members elect. (*Rules of Procedure for the City Council*, Article 12, as amended April 12, 1999).

REPORTS AND COMMUNICATIONS

Council Referrals	G-1
Minutes - Boards and Committees	G-2
(a) Planning Commission, June 27, 2000	
(b) Planning Commission, July 6, 2000	
(c) Planning Commission, July 11, 2000	
(d) CATV Advisory Committee, July 19, 2000	
(e) Historic District Commission, July 25, 2000	
(f) Building Code Board of Appeals, August 2, 2000	
(g) Employees Retirement System, August 9, 2000	
(h) Liquor Committee, August 14, 2000	
Department Reports	G-3
(a) 2000 Year-To-Date Crime and Calls for Service Report	
(b) Public Works Department, July, 2000	
Announcement of Public Hearing:	G-4
1. Chapter 39 Text Amendment - Basement Mechanical Rooms and Storage Areas and Enclosed Parking Areas within Office and Research Center Districts - September 11, 2000	
2. Proposed Rezoning - Section 2 - R-1D to O-01 and E-P - David Elliott - September 25, 2000	
3. Proposed Rezoning - Section 15 - R-1C to B-2 - Construction Management Services - September 25, 2000	
Proposed Proclamations:	G-5
Communication from the Southeast Michigan Buick Club of America Commending the Police Officers Nicolette Kaptur, Lynn Fair and Andy Breidenich and the Police and Fire Explorer Post	G-6
Letter of Commendation from Deputy Prosecuting Attorney James Halushka Regarding Officer David Isham	G-7
Memo from the Information Service Director Regarding the Employee Purchase Plan	G-8
Memo Regarding the Use of Storage Buildings at the Public Works Facility on Rochester Road	G-9
Memo Regarding Flooding in the Stonecrest Subdivision	G-10

Report Regarding Traffic Signals	G-11
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Communications Commending Aquatic Center Staff Regarding an Emergency on August 7, 2000	G-12
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Consideration of the Plant Rehabilitation Portion of Public Act 198 of 1974	G-13
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City Management requests this item be presented for consideration at the September 11, 2000 meeting.

Respectfully submitted,

John Szerlag, City Manager